

Republic of the Philippines
HOUSE OF REPRESENTATIVES
Quezon City



THIRTEENTH CONGRESS
First Regular Session

House Bill No. 2878

Introduced by **Rep. Eulogio "Amang" R. Magsaysay, Ph. D.**

EXPLANATORY NOTE

The number of school facilities built has not met the yearly building requirements caused by increase in enrollment population explosion as one of the cause. As a result, the backlog of classroom has increased. This shortage in the number of public school buildings in our country has always been a perennial problem associated with the deteriorating quality of our education system.

Data from the Department of Education show that the national classroom-student ratio for elementary and secondary public schools is a staggering 1:65 due largely to the free education program and transfer of students from the private sector due to increasing cost of private education, which has not been met by a corresponding increase in the number of classrooms. To attain the ideal classroom-student ratio in the next five (5) years, a total of 129,000 new classrooms have to be constructed excluding those that have to be rehabilitated.

The bill seeks to create a comprehensive program, which will address the problem of classroom shortage. A salient feature of this bill is the provision of build-operate-transfer, build-lease-transfer, build-transfer, rehabilitate-operate-transfer, and other contractual arrangements that will allow the use of both government and private funds to finance the construction of need school buildings, and the creation of an inter-agency committee to formulate and ensure the effective implementation of the program by the Department of Education. The program also provides for the integration of all the necessary information for the effective monitoring and maintenance of existing school buildings.

It is hoped that with the passage of this bill, class sizes will be reduced to a manageable level for a more conducive learning environment and thus result in the improvement in the quality of our education.

For the above mentioned

THIRTEENTH CONGRESS
First Regular Session

House Bill No. 2878

Introduced by Rep. Eulogio "Amang" R. Magsaysay , Ph. D.

AN ACT
ESTABLISHING A PROGRAM FOR THE ACQUISITION OF SCHOOL SITES
AND THE CONSTRUCTION, MAINTENANCE, REHABILITATION, AND REPAIR
OF SCHOOL BUILDINGS IN PUBLIC ELEMENTARY AND SECONDARY
SCHOOLS NATIONWIDE, APPROPRIATING FUNDS THEREFOR AND FOR
OTHER PURPOSES

Be it enacted by the Senate and House of Representatives in Congress assembled:

SECTION 1. *Title - This Act shall be known as the "School Building Program Act"*

SECTION 2. *School Building Program Objectives – There shall be established a comprehensive and continuing School Building Program, hereinafter referred to as the "Program", which shall have the following objectives:*

1. To provide a system for an accurate inventory of all existing public primary and secondary school buildings, with proper indications as to its location, size, capacity, condition, and compliance with basic building safety requirements;
2. To provide appropriate studies for determining the yearly school building requirements based on projected increases in enrollment and other appropriate indicators;
3. To provide for the effective monitoring and supervision of all school building facilities with respect to its proper and adequate maintenance, replacement, rehabilitation and repair;
4. To provide a comprehensive plan for the acquisition and/or construction of adequate school buildings and facilities for all public elementary and secondary schools nationwide, with the aim of reducing the classroom-student ratio to an ideal proportion within a period of five (5) years upon approval of this Act;

5. To provide the mechanism, in coordination with school heads, for the selection of public schools to prioritize in the school-building-projects nationwide;
6. To provide a specific time schedule for the construction of school building which shall be strictly followed to prevent unnecessary delays and backlogs;
7. To provide for necessary mechanisms which will facilitate a closer coordination between the Department of Budget and Management, Department of Public Works and Highways, Department of Interior and Local Government, and Department of Education (DepEd) to expedite the implementation of the Program;
8. To formulate guidelines for the bidding procedures that will be used for school building program including that of the contractual arrangements schemes;
9. To provide for a definite work and financial schedule for the construction; operation and maintenance of school buildings under any of the contractual arrangement schemes.

SECTION 3. *Inter-Agency Committee*- There is hereby created an Inter-Agency Committee, to be chaired by the Secretary of Education, with the respective Secretaries of Public Works and Highways, Budget and Management, and Interior and Local Government (DILG) as members. The Committee shall formulate the Program and ensure its effective implementation. Within one (1) year from the approval of this Act and every year thereafter, the Committee shall submit to both Houses of Congress a report on the implementation of the comprehensive school-building program herein established.

SECTION 4. *Implementation of the Program* – Consistent with the provisions of Republic Act No. 7880, otherwise known as the “Fair and Equitable Access to Education Act”, the Committee shall supervise and prioritize the acquisition and/or construction of school buildings as provided in the Program. The DepEd is hereby authorized to enter into contracts with duly pre-qualified private contractors for the design and construction management, as well as the financing, construction, operation, maintenance of school buildings through the build operate and transfer, build and transfer, build-lease and transfer, rehabilitate-operate and transfer and other contractual arrangement schemes provided under R.A. No. 6957, An Act Authorizing the Financing, Construction, Operations and Maintenance of Infrastructure Projects by the Private Sector and for Other Purposes.

SECTION 5. *Release of Maintenance and other Operating Expenditures* - For the purpose of ensuring compliance of such contractual arrangement as may hereinafter be entered, the appropriation for the School Building Program and for Maintenance and Other Operating Expenditures shall be directly released to the school heads in accordance with the work and financial schedule stipulated in the program.

SECTION 6. *Appropriations* – The amount necessary to attain the objectives of this Act shall be appropriated out of the unallocated share of the national government in the income of the Philippine Amusement Gaming Corporation (PAGCOR), for a period of five (5) years.

If the above amount is inadequate and insufficient, such amount as may be necessary to augment said annual appropriations shall be included in the General Appropriations Act.

SECTION 7. *Separability Claus* – If any provision in this Act is declared unconstitutional, the same shall not affect the validity and effectivity of the other provisions hereof.

SECTION 8. *Effectivity Clause* - This Act shall take effect upon approval.

Approved,